

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, WELFARE, APPRENTICESHIP SKILL  
IMPROVEMENT & SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES  
JAMES T. CALLAHAN, LYNN A. MOUREY,  
ROBERT SHAW and RUSSELL SHAW, and JOHN and  
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE,  
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

**NOTICE OF MOTION  
FOR DEFAULT JUDGMENT**

07-CIV-9906 (TPG)

Plaintiffs,

-against-

MODERN CONTINENTAL CONSTRUCTION CO., INC.,

Defendant.  
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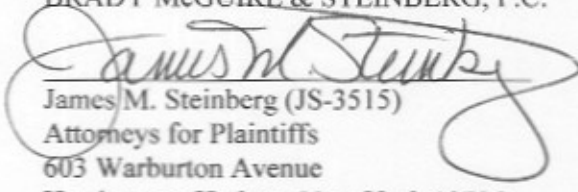
**PLEASE TAKE NOTICE**, that upon the Affidavit of JAMES M. STEINBERG, ESQ., sworn to on the 29<sup>th</sup> day of January, 2008, Plaintiffs' Statement of Damages, and upon all of the prior papers and proceedings heretofore served and had herein, Plaintiffs, by their attorneys BRADY McGUIRE & STEINBERG, P.C., will move this court, at the United States Courthouse located at 500 Pearl Street, New York, New York, before the Honorable Thomas P. Griesa, on a date and time to be set by the court, for a judgment of default against Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure in the amount of \$92,310.78, together with such other and further relief as this Court may deem just, proper and equitable.

Dated: Hastings-on-Hudson, New York  
January 29, 2008

Respectfully submitted,

BRADY McGUIRE & STEINBERG, P.C.

By:

  
James M. Steinberg (JS-3515)  
Attorneys for Plaintiffs  
603 Warburton Avenue  
Hastings-on-Hudson, New York 10706  
(914) 478-4293

TO: MODERN CONTINENTAL CONSTRUCTION CO., INC.  
175 Purchase Street  
Boston, MA 02110